

Patent No. 7,356,127
Request for Cert. of Correction dated August 13, 2008
Attorney Docket No. 1974-045306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,356,127 Confirmation No. 1003
Inventors : Peduzzi et al.
Issued : April 8, 2008
Title : Global Digital Measurement Device
Examiner : Quoc Tran
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch
Patent Issue Division

Sir:

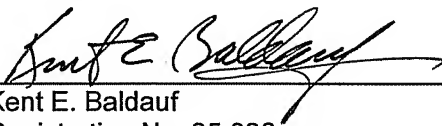
In accordance with 35 U.S.C. § 254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO's error and request that a Certificate of Correction be issued in the above-identified patent. The following error appears in the patent as printed:

Face of the Patent, Item (60) Related U.S. Application Data, insert the following:
– 60/371,456 April 10, 2002 US –

(See the front page of the corresponding PCT publication (WO 03/088633) and the Declaration/Power of Attorney, filed May 11, 2005.)

Respectfully submitted,

THE WEBB LAW FIRM

By 
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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,356,127
APPLICATION NO. : 10/509,963
ISSUE DATE : April 8, 2008
INVENTORS : Peduzzi et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Face of the Patent, Item (60) Related U.S. Application Data, insert the following:

-- 60/371,456 April 10, 2002 US --

MAILING ADDRESS OF SENDER: The Webb Law Firm
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Global Digital Measurement Device"

(Invention Title)

the specification of which:

☐ is filed concurrently herewith.

OR

☒ was filed as U.S. Application No. 10/509,963 on 10/04/2004 (mm/dd/yyyy) and was amended on _____ (mm/dd/yyyy).
(if applicable)

OR

☐ was filed as PCT International Application No. _____ on _____ (mm/dd/yyyy) and was amended under PCT Article 19 on _____ (mm/dd/yyyy) and/or PCT Article 34 on _____ (mm/dd/yyyy).
(if applicable) (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

That, as to the invention of the present application which is common to the earlier application(s) as hereinafter defined, I do not know and do not believe that the invention was ever known or used in the United States before my invention thereof; or patented or described in any printed publication in any country any time by others before my invention or by anyone more than one year prior to the earlier application(s); or in public use or on sale in the United States by anyone more than one year prior to the earlier application(s) in the United States.

That, as to the invention of the present application which is not common to the earlier application(s), I do not know and do not believe that the invention was ever known or used in the United States before my invention thereof; or patented or described in any printed publication in any country anytime by others before my invention or by anyone more than one year prior to the present application; or in public use or on sale in the United States by anyone more than one year prior to the present application in the United States.

That, as to the invention of the present application which is common to the earlier application(s), I do not know and do not believe that the invention has been patented or caused to be patented, or was the subject of an inventor's certificate, by me or my legal representatives or assigns in any country foreign to the United States on a patent application or inventor's certificate filed more than twelve months, or six months for a design application, prior to the filing date in the United States of the earlier application(s).

That, as to the invention of the present application which is not common to the earlier application(s), I do not know and do not believe that the invention has been patented or caused to be patented, or was the subject of an inventor's certificate, by me or my legal representatives or assigns in any country foreign to the United States on a

Utility (Claiming Benefit to Provisional Application)
or C-I-P

Application Serial No. 10/509,963

Attorney Docket No. 1974-045306

patent application or inventor's certificate filed more than twelve months, or six months for a design application, prior to the filing date in the United States of this present application.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below, also referred to as "earlier application(s)":

| PROVISIONAL APPLICATION NO. | FILING DATE |
|-----------------------------|-------------|
| 60/371,456 | 04/10/2002 |

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, also referred to as "earlier application(s)", by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| PRIOR FOREIGN APPLICATION NO. | COUNTRY | FOREIGN FILING DATE (mm/dd/yyyy) | PRIORITY NOT CLAIMED | CERTIFIED COPY ATTACHED? | |
|-------------------------------|---------|-------------------------------------|--------------------------|---------------------------------|---|
| PCT/US03/11098 | WO | 04/10/2003 | <input type="checkbox"/> | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, also referred to as "earlier application(s)", and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NO. | FILING DATE |
|-----------------|-------------|
| | |

I hereby appoint the practitioners associated with

Customer Number 28289

to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please send all correspondence to Customer Number 28289.

Please direct all telephone calls to Richard L. Byrne, at telephone number (412) 471-8815.

The law firm of **WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.** whose address is 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, Telephone No. 412-471-8815 has been assigned Customer Number 28289 by the United States Patent and Trademark Office.

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
23 October 2003 (23.10.2003)

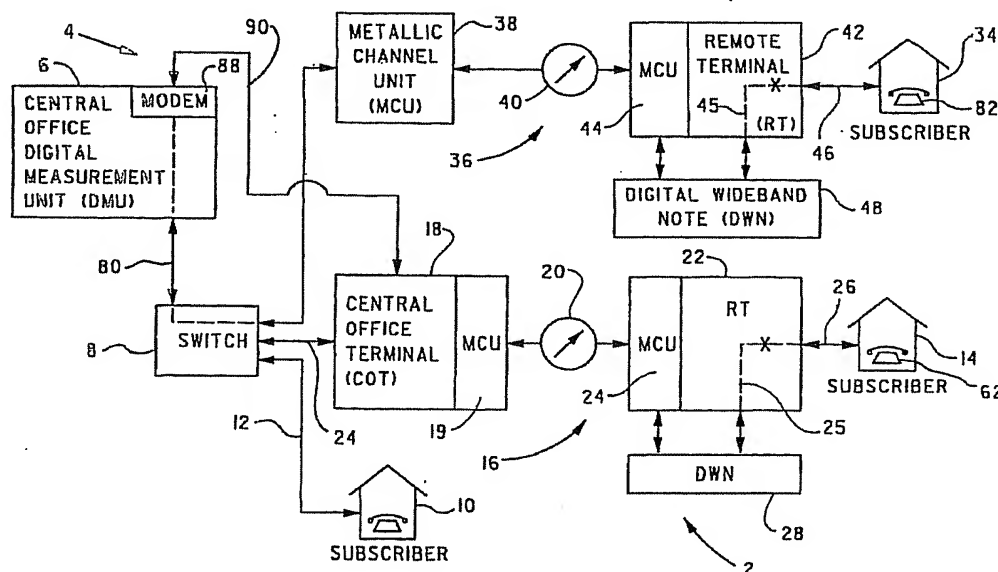
PCT

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- (21) International Application Number: **PCT/US03/11098**
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- (25) Filing Language: **English**
- (26) Publication Language: **English**
- (30) Priority Data:
60/371,456 **10 April 2002 (10.04.2002)** **US**
- (71) Applicant (for all designated States except US): **TOLL-GRADE COMMUNICATIONS, INC.** [US/US]; 103 Springer Building, 3411 Silverside Road, Wilmington, DE 19810 (US).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): **PEDUZZI, David, J.** [US/US]; 116 Brinton Avenue, Trafford, PA 15085 (US). **SMITH, Roger, A.** [US/US]; 3307 Oaknoll Road, Gibsonsia, PA 15044 (US).
- (74) Agents: **BYRNE, Richard, L.** et al.; Webb Ziesenheim Logsdon Orkin & Hanson, P.C., 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219-1818 (US).
- (81) Designated States (*national*): AE, AG, AL, AM, AT (utility model), AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ (utility model), CZ, DE (utility model), DE, DK (utility model), DK, DM, DZ, EC, EE (utility model), EE, ES, FI (utility model), FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK (utility model), SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— with international search report

[Continued on next page]

(54) Title: GLOBAL DIGITAL MEASUREMENT DEVICE



(57) Abstract: A digital wideband node (DWN) (28, 48) is coupled to a remote terminal (RT) (22, 42) that in turn is coupled to a subscriber's telephone line (26, 46). The DWN (28, 48) is configured to (1) pass a subscriber's telephone number signal directly to the RT (22, 42) whereupon a test path (25, 45) is formed with the subscriber's telephone line (26, 46), (2) pass POTS test signals directly to the RT (22, 42) for testing the subscriber's telephone line (26, 46) via the test path (25, 45) and (3) process wideband test control signals into wideband test signals which are conveyed to the RT (22, 42) for wideband testing of the subscriber's telephone line (26, 46) via the test path (25, 45).

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